

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
SAN ANTONIO DIVISION

RUSSELL ZINTER; JACK MILLER;  
BRIAN HOWD; JAMES A. MEAD;  
JOSEPH BRANDON PIERCE; MARK BROWN;  
DAVID BAILEY; JUAN GONZALES JR.;  
KEVIN EGAN; JONATHON GREEN;  
JAMES SPRINGER

Plaintiffs,

VS.

CIVIL ACTION NO. 5:18-CV-0680-FB

CHIEF JOSEPH SALVAGGIO;  
LIEUTENANT DAVID ANDERSON;  
DEPUTY JANE DOE GOLDMAN;  
OFFICER JOHNNY VASQUEZ;  
CPL CHAD MANDRY; SERGEANT JOHN DOE;  
OFFICER JIMMIE WELLS; CPL. LOUIS FARIAS,  
BADGE 534; OFFICER BRANDON EVANS,  
BADGE 556; OFFICER UZIEL HERNANDEZ;  
JOHN DOE TASER 1; JOHN DOE TASER 2 AND  
THE CITY OF LEON VALLEY, A POLITICAL  
SUBDIVISION OF THE STATE OF TEXAS

Defendants.

**DEFENDANT CHIEF SALVAGGIO, LT. ANDERSON AND OFFICERS VASQUEZ,  
MANDRY, WELLS, FARIAS, EVANS, HERNANDEZ, YARBOROUGH, BRETON, AZAR,  
URDIALES, KING, CASTRO, TACQUARD, AND RIVERA'S FIRST AMENDED ANSWER**

TO THE HONORABLE UNITED STATES DISTRICT JUDGE FRED BIERY:

NOW COMES CITY OF LEON VALLEY CHIEF OF POLICE JOSEPH SALVAGGIO, LT. DAVID ANDERSON, OFFICER JOHNNY VASQUEZ, CORPORAL CHAD MANDRY, DET. JIMMIE WELLS, CORPORAL LOUIS FARIAS, OFFICER BRANDON EVANS, OFFICER UZIEL HERNANDEZ, OFFICER YARBROUGH, OFFICER BRETON, OFFICER AZAR, OFFICER URDIALES, OFFICER KING, OFFICER CASTRO, OFFICER TACQUARD, and OFFICER E. RIVERA, Individually and in their Official Capacity, Defendants in the above entitled and numbered cause and files this their

First Amended Answer to Plaintiffs' Second Amended Complaint heretofore filed and in support thereof would respectfully show unto the Court the following:

**I.  
FIRST DEFENSE**

Plaintiffs' Second Amended Complaint fails to state a cause action against these Defendants upon which relief may be granted.

**II.  
SECOND DEFENSE**

Defendants **CHIEF SALVAGGIO, LT. ANDERSON, OFFICER VASQUEZ, CORPORAL MANDRY, OFFICER WELLS, CORPORAL FARIAS, OFFICER EVANS, OFFICER HERNANDEZ, OFFICER YARBROUGH, OFFICER BRETON, OFFICER AZAR, OFFICER URDIALES, OFFICER KING, OFFICER CASTRO, OFFICER TACQUARD, and OFFICER RIVERA** admit that this action purports to arise from violations of Plaintiffs' Constitutional Rights pursuant to 42 U.S.C. § 1983, as alleged in Plaintiffs' Second Amended Complaint; however, Defendants deny that any cause of action exists there under.

**III.  
THIRD DEFENSE**

Defendants **CHIEF SALVAGGIO, LT. ANDERSON, OFFICER VASQUEZ, CORPORAL MANDRY, OFFICER WELLS, CORPORAL FARIAS, OFFICER EVANS, OFFICER HERNANDEZ, OFFICER YARBROUGH, OFFICER BRETON, OFFICER AZAR, OFFICER URDIALES, OFFICER KING, OFFICER CASTRO, OFFICER TACQUARD, and OFFICER RIVERA** deny "Introduction" Paragraphs 1 through 17 of Plaintiffs' Second Amended Complaint. Plaintiffs' mendacious allegations of conspiracy among law enforcement and the District Attorneys' Office is without merit.

**IV.  
FOURTH DEFENSE**

Defendants **CHIEF SALVAGGIO, LT. ANDERSON, OFFICER VASQUEZ, CORPORAL MANDRY, OFFICER WELLS, CORPORAL FARIAS, OFFICER EVANS, OFFICER HERNANDEZ, OFFICER YARBROUGH, OFFICER BRETON, OFFICER AZAR, OFFICER URDIALES, OFFICER KING, OFFICER CASTRO, OFFICER TACQUARD, and OFFICER RIVERA** deny “*Introduction*” Paragraphs 22 through 36 of Plaintiffs’ Second Amended Complaint. Defendants would show unto the Court that the Plaintiffs are not law abiding citizens, but rather zelots who attempt to provoke law enforcement.

**V.  
FIFTH DEFENSE**

Defendants **CHIEF SALVAGGIO, LT. ANDERSON, OFFICER VASQUEZ, CORPORAL MANDRY, OFFICER WELLS, CORPORAL FARIAS, OFFICER EVANS, OFFICER HERNANDEZ, OFFICER YARBROUGH, OFFICER BRETON, OFFICER AZAR, OFFICER URDIALES, OFFICER KING, OFFICER CASTRO, OFFICER TACQUARD, and OFFICER RIVERA** admit Paragraphs 37 through 57 of Plaintiffs’ Second Amended Complaint. Defendants are properly named. Defendants deny Paragraph 58 wherein Plaintiffs allege that the Defendants’ actions were unconstitutional. Defendants deny Plaintiffs’ allegations of deliberate indifference, reckless disregard and intentional conduct, as alleged in Plaintiffs’ Second Amended Complaint.

**VI.  
SIXTH DEFENSE**

Defendants **CHIEF SALVAGGIO, LT. ANDERSON, OFFICER VASQUEZ, CORPORAL MANDRY, OFFICER WELLS, CORPORAL FARIAS, OFFICER EVANS, OFFICER HERNANDEZ, OFFICER YARBROUGH, OFFICER BRETON, OFFICER AZAR, OFFICER URDIALES, OFFICER KING, OFFICER CASTRO, OFFICER TACQUARD, and OFFICER RIVERA** deny “*June 14, 2018*

*Incident*” Paragraphs 60 through 72 of Plaintiffs’ Second Amended Complaint. Defendants would show unto the Court that Plaintiff **MARK BROWN** was arrested for Interference with Public Duties under § 38.15(a) of the TEXAS PENAL CODE and Resisting Arrest under § 38.03(a) of the TEXAS PENAL CODE.

## **VII. SEVENTH DEFENSE**

Defendants **CHIEF SALVAGGIO, LT. ANDERSON, OFFICER VASQUEZ, CORPORAL MANDRY, OFFICER WELLS, CORPORAL FARIAS, OFFICER EVANS, OFFICER HERNANDEZ, OFFICER YARBROUGH, OFFICER BRETON, OFFICER AZAR, OFFICER URDIALES, OFFICER KING, OFFICER CASTRO, OFFICER TACQUARD, and OFFICER RIVERA** deny “*June 18, 2018 Incident*” Paragraphs 73 through 80 of Plaintiffs’ Second Amended Complaint. Defendants deny Plaintiffs’ allegations that detentions and arrests were made without lawful basis and that excessive force was used. Defendants would show unto the Court that Plaintiff **DAVID BAILEY** was arrested for obstructing a passageway under § 42.03 of the TEXAS PENAL CODE. Plaintiff **JAMES SPRINGER** was arrested for Interference With Public Duties under § 38.15(a) of the TEXAS PENAL CODE. Defendants assert that all detentions and arrests were lawful and based on probable cause.

## **VIII. EIGHTH DEFENSE**

Defendants **CHIEF SALVAGGIO, LT. ANDERSON, OFFICER VASQUEZ, CORPORAL MANDRY, OFFICER WELLS, CORPORAL FARIAS, OFFICER EVANS, OFFICER HERNANDEZ, OFFICER YARBROUGH, OFFICER BRETON, OFFICER AZAR, OFFICER URDIALES, OFFICER KING, OFFICER CASTRO, OFFICER TACQUARD, OFFICER RIVERA** deny “*June 23, 2018 Incident*” Paragraphs 81 through 90 of Plaintiffs’ Second Amended Complaint. Defendants assert that Plaintiffs’ rights were not violated under the Fourth Amendment nor were they

subjected to excessive force as alleged. Defendant Officers would show unto the Court that they are entitled to the protective shroud of qualified immunity and official immunity from all of Plaintiffs' claims.

## IX. NINETH DEFENSE

Defendants **CHIEF SALVAGGIO, LT. ANDERSON, OFFICER VASQUEZ, CORPORAL MANDRY, OFFICER WELLS, CORPORAL FARIAS, OFFICER EVANS, OFFICER HERNANDEZ, OFFICER YARBROUGH, OFFICER BRETON, OFFICER AZAR, OFFICER URDIALES, OFFICER KING, OFFICER CASTRO, OFFICER TACQUARD, OFFICER RIVERA** would show unto the Court that the Plaintiffs are a cabal of communication zealots intent on bringing chaos and disruption to municipal governments and in particular, the City of Leon Valley. Plaintiffs and their cohorts, through "live feeds" on social media instigation, conducted mass phone callings to city offices and mass email communications to City of Leon Valley Offices, to disrupt the government of the City of Leon Valley. Contrary to their alleged self-imposed title of First Amendment Auditors (FAA), Plaintiffs are churlish fomenters. Defendants assert unto the Court that Plaintiffs' rights under the First and Fourth Amendments were not violated and Plaintiffs' were not subjected to excessive force, as a matter of law.

Defendants **CHIEF SALVAGGIO, LT. ANDERSON, OFFICER VASQUEZ, CORPORAL MANDRY, OFFICER WELLS, CORPORAL FARIAS, OFFICER EVANS, OFFICER HERNANDEZ, OFFICER YARBROUGH, OFFICER BRETON, OFFICER AZAR, OFFICER URDIALES, OFFICER KING, OFFICER CASTRO, OFFICER TACQUARD, OFFICER RIVERA** assert that at all times made the basis of Plaintiffs' Complaint that they were in the course and scope of their employment as City of Leon Valley Police Officers and peace officers of the State of Texas acting pursuant to their discretionary capacity and at all times acted in good faith and therefore, are entitled to the

protective shroud of qualified immunity and official immunity, as a matter of law.

**X.  
TENTH DEFENSE**

Defendants **CHIEF SALVAGGIO, LT. ANDERSON, OFFICER VASQUEZ, CORPORAL MANDRY, OFFICER WELLS, CORPORAL FARIAS, OFFICER EVANS, OFFICER HERNANDEZ, OFFICER YARBROUGH, OFFICER BRETON, OFFICER AZAR, OFFICER URDIALES, OFFICER KING, OFFICER CASTRO, OFFICER TACQUARD, OFFICER RIVERA** deny “*Count 1 – June 14, 2018 Incident*” Paragraphs 91 through 95 of Plaintiffs’ Second Amended Complaint.

**XI.  
ELEVENTH DEFENSE**

Defendants **CHIEF SALVAGGIO, LT. ANDERSON, OFFICER VASQUEZ, CORPORAL MANDRY, OFFICER WELLS, CORPORAL FARIAS, OFFICER EVANS, OFFICER HERNANDEZ, OFFICER YARBROUGH, OFFICER BRETON, OFFICER AZAR, OFFICER URDIALES, OFFICER KING, OFFICER CASTRO, OFFICER TACQUARD, and OFFICER RIVERA** deny “*Count 2 – June 14, 2018 Incident*” Paragraphs 96 through 100 of Plaintiffs’ Second Amended Complaint.

**XII.  
TWELFTH DEFENSE**

Defendants **CHIEF SALVAGGIO, LT. ANDERSON, OFFICER VASQUEZ, CORPORAL MANDRY, OFFICER WELLS, CORPORAL FARIAS, OFFICER EVANS, OFFICER HERNANDEZ, OFFICER YARBROUGH, OFFICER BRETON, OFFICER AZAR, OFFICER URDIALES, OFFICER KING, OFFICER CASTRO, OFFICER TACQUARD, and OFFICER RIVERA** deny “*Count 3 – June 14, 2018 Incident*” Paragraphs 101 through 104 of Plaintiffs’ Second Amended Complaint. Defendants deny that Plaintiffs’ allegations of excessive force under the Fourth Amendment.

**XIII.  
THIRTEENTH DEFENSE**

Defendants **CHIEF SALVAGGIO, LT. ANDERSON, OFFICER VASQUEZ, CORPORAL MANDRY, OFFICER WELLS, CORPORAL FARIAS, OFFICER EVANS, OFFICER HERNANDEZ, OFFICER YARBROUGH, OFFICER BRETON, OFFICER AZAR, OFFICER URDIALES, OFFICER KING, OFFICER CASTRO, OFFICER TACQUARD, and OFFICER RIVERA** deny “*Count 4 – June 14, 2018 Incident*” Paragraphs 105 through 107 of Plaintiffs’ Second Amended Complaint.

**XIV.  
FOURTEENTH DEFENSE**

Defendants **CHIEF SALVAGGIO, LT. ANDERSON, OFFICER VASQUEZ, CORPORAL MANDRY, OFFICER WELLS, CORPORAL FARIAS, OFFICER EVANS, OFFICER HERNANDEZ, OFFICER YARBROUGH, OFFICER BRETON, OFFICER AZAR, OFFICER URDIALES, OFFICER KING, OFFICER CASTRO, OFFICER TACQUARD, and OFFICER RIVERA** deny “*Count 5 – June 14, 2018 Incident*” Paragraphs 108 through 117 of Plaintiffs’ Second Amended Complaint.

**XV.  
FIFTEENTH DEFENSE**

Defendants **CHIEF SALVAGGIO, LT. ANDERSON, OFFICER VASQUEZ, CORPORAL MANDRY, OFFICER WELLS, CORPORAL FARIAS, OFFICER EVANS, OFFICER HERNANDEZ, OFFICER YARBROUGH, OFFICER BRETON, OFFICER AZAR, OFFICER URDIALES, OFFICER KING, OFFICER CASTRO, OFFICER TACQUARD, and OFFICER RIVERA** deny “*Count 6 – June 18, 2018 Incident*” Paragraphs 118 through 128 of Plaintiffs’ Second Amended Complaint.

**XVI.  
SIXTEENTH DEFENSE**

Defendants **CHIEF SALVAGGIO, LT. ANDERSON, OFFICER VASQUEZ, CORPORAL MANDRY, OFFICER WELLS, CORPORAL FARIAS, OFFICER EVANS, OFFICER HERNANDEZ,**

**OFFICER YARBROUGH, OFFICER BRETON, OFFICER AZAR, OFFICER URDIALES, OFFICER KING, OFFICER CASTRO, OFFICER TACQUARD, and OFFICER RIVERA** deny “*Count 7 – June 18, 2018 Incident*” Paragraphs 129 through 139 of Plaintiffs’ Second Amended Complaint.

**XVII.  
SEVENTEENTH DEFENSE**

Defendants **CHIEF SALVAGGIO, LT. ANDERSON, OFFICER VASQUEZ, CORPORAL MANDRY, OFFICER WELLS, CORPORAL FARIAS, OFFICER EVANS, OFFICER HERNANDEZ, OFFICER YARBROUGH, OFFICER BRETON, OFFICER AZAR, OFFICER URDIALES, OFFICER KING, OFFICER CASTRO, OFFICER TACQUARD, and OFFICER RIVERA** deny “*Count 8 – June 18, 2018 Incident*” Paragraphs 140 through 146 of Plaintiffs’ Second Amended Complaint.

**XVIII.  
EIGHTEENTH DEFENSE**

Defendants **CHIEF SALVAGGIO, LT. ANDERSON, OFFICER VASQUEZ, CORPORAL MANDRY, OFFICER WELLS, CORPORAL FARIAS, OFFICER EVANS, OFFICER HERNANDEZ, OFFICER YARBROUGH, OFFICER BRETON, OFFICER AZAR, OFFICER URDIALES, OFFICER KING, OFFICER CASTRO, OFFICER TACQUARD, and OFFICER RIVERA** deny “*Count 9 – June 18, 2018 Incident*” Paragraphs 147 through 155 of Plaintiffs’ Second Amended Complaint.

**XIX.  
NINETEENTH DEFENSE**

Defendants **CHIEF SALVAGGIO, LT. ANDERSON, OFFICER VASQUEZ, CORPORAL MANDRY, OFFICER WELLS, CORPORAL FARIAS, OFFICER EVANS, OFFICER HERNANDEZ, OFFICER YARBROUGH, OFFICER BRETON, OFFICER AZAR, OFFICER URDIALES, OFFICER KING, OFFICER CASTRO, OFFICER TACQUARD, and OFFICER RIVERA** deny “*Count 10 – June 18, 2018 Incident*” Paragraphs 156 through 165 of Plaintiffs’ Second Amended Complaint.



**XX.  
TWENTIETH DEFENSE**

Defendants **CHIEF SALVAGGIO, LT. ANDERSON, OFFICER VASQUEZ, CORPORAL MANDRY, OFFICER WELLS, CORPORAL FARIAS, OFFICER EVANS, OFFICER HERNANDEZ, OFFICER YARBROUGH, OFFICER BRETON, OFFICER AZAR, OFFICER URDIALES, OFFICER KING, OFFICER CASTRO, OFFICER TACQUARD, and OFFICER RIVERA** deny “*Count 11 – June 23, 2018 Incident*” Paragraphs 166 through 183 of Plaintiffs’ Second Amended Complaint.

**XXI.  
TWENTY-FIRST DEFENSE**

Defendants **CHIEF SALVAGGIO, LT. ANDERSON, OFFICER VASQUEZ, CORPORAL MANDRY, OFFICER WELLS, CORPORAL FARIAS, OFFICER EVANS, OFFICER HERNANDEZ, OFFICER YARBROUGH, OFFICER BRETON, OFFICER AZAR, OFFICER URDIALES, OFFICER KING, OFFICER CASTRO, OFFICER TACQUARD, and OFFICER RIVERA** deny “*Count 12 – June 23, 2018 Incident*” Paragraphs 184 through 200 of Plaintiffs’ Second Amended Complaint.

**XXII.  
TWENTY-SECOND DEFENSE**

Defendants **CHIEF SALVAGGIO, LT. ANDERSON, OFFICER VASQUEZ, CORPORAL MANDRY, OFFICER WELLS, CORPORAL FARIAS, OFFICER EVANS, OFFICER HERNANDEZ, OFFICER YARBROUGH, OFFICER BRETON, OFFICER AZAR, OFFICER URDIALES, OFFICER KING, OFFICER CASTRO, OFFICER TACQUARD, and OFFICER RIVERA** deny “*Count 13 – June 23, 2018 Incident*” Paragraphs 201 through 207 of Plaintiffs’ Second Amended Complaint.

**XXIII.  
TWENTY-THIRD DEFENSE**

Defendants **CHIEF SALVAGGIO, LT. ANDERSON, OFFICER VASQUEZ, CORPORAL MANDRY, OFFICER WELLS, CORPORAL FARIAS, OFFICER EVANS, OFFICER HERNANDEZ, OFFICER YARBROUGH, OFFICER BRETON, OFFICER AZAR, OFFICER URDIALES, OFFICER**

**KING, OFFICER CASTRO, OFFICER TACQUARD, and OFFICER RIVERA** deny “*Count 15 [sic 14] – June 23, 2018 Incident*” Paragraphs 208 through 217 of Plaintiffs’ Second Amended Complaint.

**XXIV.  
TWENTY-FOURTH DEFENSE**

Defendants **CHIEF SALVAGGIO, LT. ANDERSON, OFFICER VASQUEZ, CORPORAL MANDRY, OFFICER WELLS, CORPORAL FARIAS, OFFICER EVANS, OFFICER HERNANDEZ, OFFICER YARBROUGH, OFFICER BRETON, OFFICER AZAR, OFFICER URDIALES, OFFICER KING, OFFICER CASTRO, OFFICER TACQUARD, and OFFICER RIVERA** deny “*Monell Liability*” Paragraphs 218 through 228 of Plaintiffs’ Second Amended Complaint. Defendants would show unto the Court that Plaintiffs have failed to state a *Monell* liability claim under 42 U.S.C. § 1983, as a matter of law. Defendants would further show unto the Court that all Defendant Officers were trained in accordance with the Texas Commission on Law Enforcement (TCOLE) and maintain in-service training in accordance with State standards. Plaintiffs have failed to state a cause of action, as a matter of law.

**XXV.  
TWENTY-FIFTH DEFENSE**

Defendants **CHIEF SALVAGGIO, LT. ANDERSON, OFFICER VASQUEZ, CORPORAL MANDRY, OFFICER WELLS, CORPORAL FARIAS, OFFICER EVANS, OFFICER HERNANDEZ, OFFICER YARBROUGH, OFFICER BRETON, OFFICER AZAR, OFFICER URDIALES, OFFICER KING, OFFICER CASTRO, OFFICER TACQUARD, and OFFICER RIVERA** affirmatively plead both prongs of the qualified immunity analysis as a defense in the case at bar. Defendants assert (1) that their conduct did not violate a constitutional right and further assert (2) their conduct was objectively reasonable in light of clearly established law. *Hogan v. Cunningham*, 722 F.3d 725, 734 (5<sup>th</sup> Cir. 2013).

Defendants assert unto the Court that their actions as law enforcement officers were justified pursuant to the TEXAS PENAL CODE, Chapter 9, Section 9.51, as a matter of law.

**XXVI.  
TWENTY-SIXTH DEFENSE**

Defendants **CHIEF SALVAGGIO, LT. ANDERSON, OFFICER VASQUEZ, CORPORAL MANDRY, OFFICER WELLS, CORPORAL FARIAS, OFFICER EVANS, OFFICER HERNANDEZ, OFFICER YARBROUGH, OFFICER BRETON, OFFICER AZAR, OFFICER URDIALES, OFFICER KING, OFFICER CASTRO, OFFICER TACQUARD, and OFFICER RIVERA** assert their defenses under the TEXAS TORT CLAIMS ACT, Chapter 101, § 101.023, § 101.024, and § 101.106, as a matter of law.

Defendants further assert their defenses under the TEXAS CIVIL PRACTICE & REMEDIES CODE, Chapter 41, §41.0105 and Chapter 108, § 108.002, as a matter of law.

**XXVII.  
TWENTY-SEVENTH DEFENSE**

Defendants **CHIEF SALVAGGIO, LT. ANDERSON, OFFICER VASQUEZ, CORPORAL MANDRY, OFFICER WELLS, CORPORAL FARIAS, OFFICER EVANS, OFFICER HERNANDEZ, OFFICER YARBROUGH, OFFICER BRETON, OFFICER AZAR, OFFICER URDIALES, OFFICER KING, OFFICER CASTRO, OFFICER TACQUARD, and OFFICER RIVERA** deny “Prayer for Relief” of Plaintiffs’ Second Amended Complaint. Defendants deny Plaintiffs’ are entitled to compensatory or punitive damages, as alleged. Defendants deny that Plaintiffs are entitled to any injunctive relief and/or declaratory judgment relief, as alleged. Defendants further deny Plaintiffs are entitled to Attorney’s Fees pursuant to 42 U.S.C. § 1988, as a matter of law.

**XXVIII.  
TWENTY-EIGHTH DEFENSE**

Defendants **CHIEF SALVAGGIO, LT. ANDERSON, OFFICER VASQUEZ, CORPORAL MANDRY, OFFICER WELLS, CORPORAL FARIAS, OFFICER EVANS, OFFICER HERNANDEZ, OFFICER YARBROUGH, OFFICER BRETON, OFFICER AZAR, OFFICER URDIALES, OFFICER KING, OFFICER CASTRO, OFFICER TACQUARD, and OFFICER RIVERA** deny any allegations in Plaintiffs' Second Amended Complaint not specifically admitted herein and demands strict proof thereof as required by law.

**XXIX.  
TWENTY-NINTH DEFENSE**

Defendants **CHIEF SALVAGGIO, LT. ANDERSON, OFFICER VASQUEZ, CORPORAL MANDRY, OFFICER WELLS, CORPORAL FARIAS, OFFICER EVANS, OFFICER HERNANDEZ, OFFICER YARBROUGH, OFFICER BRETON, OFFICER AZAR, OFFICER URDIALES, OFFICER KING, OFFICER CASTRO, OFFICER TACQUARD, and OFFICER RIVERA** herein demand a jury trial.

**WHEREFORE, PREMISES CONSIDERED,** Defendants **CHIEF SALVAGGIO, LT. ANDERSON, OFFICER VASQUEZ, CORPORAL MANDRY, OFFICER WELLS, CORPORAL FARIAS, OFFICER EVANS, OFFICER HERNANDEZ, OFFICER YARBROUGH, OFFICER BRETON, OFFICER AZAR, OFFICER URDIALES, OFFICER KING, OFFICER CASTRO, OFFICER TACQUARD, and OFFICER RIVERA** pray that Plaintiffs' suit be dismissed against them, or in the alternative, that the Plaintiffs take nothing by their lawsuit against them, that Defendants have Judgment herein, that the Defendants be awarded their costs expended, including reasonable attorney's fees and for such other and further relief, both general and special, and at law and in equity, to which they may show themselves justly entitled.

Respectfully submitted,

**LAW OFFICES OF CHARLES S. FRIGERIO**

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ATTORNEY-IN-CHARGE

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ATTORNEYS FOR DEFENDANTS **CHIEF OF POLICE**

**JOSEPH SALVAGGIO, LT. DAVID ANDERSON, OFFICER**

**JOHNNY VASQUEZ, CORPORAL CHAD MANDRY, OFFICER**

**JIMMIE WELLS, CORPORAL LOUIS FARIAS, OFFICER**

**BRANDON EVANS, OFFICER UZIEL HERNANDEZ, OFFICER**

**YARBROUGH, OFFICER BRETON, OFFICER AZAR, OFFICER**

**URDIALES, OFFICER KING, OFFICER CASTRO, OFFICER**

**TACQUARD, AND OFFICER E. RIVERA**

**CERTIFICATE OF SERVICE**

I hereby certify that on the 5<sup>th</sup> day of January, 2021, I electronically filed the foregoing Defendants Chief Salvaggio, Lt. Anderson, Officer Vasquez, Corporal Mandry, Officer Wells, Corporal Farias, Officer Evans, Officer Hernandez, Officer Yarbrough, Officer Breton, Officer Azar, Officer Urdiales, Officer King, Officer Castro, Officer Tacquard, and Officer Rivera's First Amended Answer with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

Mr. Brandon J. Grable  
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/s/ Charles S. Frigerio  
CHARLES S. FRIGERIO